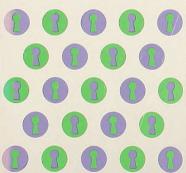
CAZON MB30

Freedom nformation

Publications

and—

Protection of Individual Privacy Act, 1987





Introduction

Ontario's Freedom of Information and Protection of Privacy Act came into effect on January I, 1988. The purpose of this new legislation is to open a new window on government and to ensure that the privacy of all citizens is protected.

The Act has two main objectives. First, it provides all persons with a legal right of access to information contained in the records of government ministries, agencies, boards, commissions and corporations. And secondly, it sets out the standards for privacy protection that must be met by all of these institutions when they collect, use and disclose information of a personal nature or individuals.

The Act consequently provides a balance between allowing the widest possible access to government information and respecting the right of each individual to personal privacy.

This brochure will provide you with some typical questions and answers along with a general guide to the Act and to your rights under the law.

Who Can Obtain Information under the Act?

The Act allows every person the right of access t government records either in the custody or the control of government institutions.

What Information Can I Get?

There are two kinds—personal information pertaining to you that the government keeps as a standard practise or records on various ministries, agencies, etc.

Two directories tell you what information is maintained:

- the Directory of General Records—which contains a description of each institution covered under the Act and the types of records they hold (other than personal information).
- the Directory of Personal Information Banks—which contains a complete listing of all banks of personal information held by those institutions covered under the Act.

These directories will help you determine where the record you want is likely to be located. The directories are available at most public libraries and government offices, but they can also be purchased at Ontario Government Rookstores.

What Information Can't I Get? MB

The right of access to government records may only be denied under the Act when there are legitimate needs for confidentiality, or when an individual's privacy may be invaded. Exemptions include such information as Cabinet documents, records whose disclosure would interfere with law enforcement, records covered by solicitor-client privilege, records containing personal information about an individual other than the person making the request for access, information supplied in confidence by a third party—such as an organization—where release would prejudice its interests. When an exemption applies to a portion of the record*, the institution must provide access to as much of the record as possible by removing the exempt portion and releasing all 0 f the other information on the record. If access is denied, the reason must be given.

How Do I Make a Request for Access

to Information?

requests for general information from the public on the telephone, in person, through the media, in publications, and so on.

This process will continue to be your first aver of access.

However, when the information you require is no available through this process, you can follow these steps:

Step 1—Find out which government institution has the information you need.

Step 2—If you're unsure which institution you need to contact, consult the main Directories.

Step 3—Pick up an appropriate form from any provincial government office. You will need a Request for Access to Records or a Request for Access to Personal Information or a Request for Correction of Personal Information. (Please note: All requests must be made in writine.)

Step 4—Fill out the form and send it to the appropriate institution. Each ministry and agency has a Freedom of Information and Privacy Coordinator whose responsibility is to help you access the information you want.

(*A record is information stored in any manner such as correspondence, documents, memos, drawings, video, or audiotapes

The government institution must respond within 30 calendar days of receiving the request. It will either provide the information to you or explain why the information cannot be disclosed. The time limit can be extended when, for example, a large number of records must be searched. Only one extension is allowed and you will be notified if an extension is

Who Can Assist Me?

Also listed in both directories are the names and addresses of the various Freedom of Information an Privacy Coordinators for each organization. The coordinator is the key contact for the public and is responsible for the activities within the particular ministry or agency.

What Kind of Personal Information Can I Review?

In the course of providing services to the public, it is necessary for the government to collect material on an individual, such as birth and marriage certificates driver's licences or educational achievements. Most of this information has already been provided by residents of Ontario.

Except for very specific reasons, which are noted in the Act, no government institution can use or disclose personal information without your consent—other than for the purpose for which it was collected in the first place, or for a purpose you might reasonably expect it to be used.

For example, if you give information about yourself when you start a job, you'd reasonably expect that the same information would be used by the payroll department to record salaries, pension contributions, etc.

Under the Act, you have the right to this information unless an exemption applies. But you cannot obtain a record of personal information about someone else.

What if I Disagree with the Accuracy of my Personal Information?

If you feel there is an error or omission in the information that has been collected about you, you have the right to request that it be corrected. If the institution doesn't make the requested change, you can then require that a Statement of Disagreement be attached to it. This will record the information that you dispute.

How Much Does the Service Cost?

As a rule, there is no cost for access to your personal information. The first two hours of any search is free. Beyond that, a fee may be charged for processing a request.

Can I Appeal a Decision to Refuse Access?

Yes. If you are refused access to information because of one of the exemptions, you have the right to appea to the Freedom of Information and Protection of Privacy Act Commissioner.

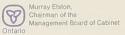
The Commissioner is an officer of the Legislative Assembly and as such is independent of the government. The Commissioner can review a decision to refuse access to information, a refusal to correct personal information, an appeal about the amount of the fee to be charged, or an extension of the 30-day time limit.

The Commissioner also ensures that government in stitutions comply with the Act. The Office of the Information and Privacy Commissioner is located at 80 Bloor Street West Toronto MSS 2VI

Want to know more about freedom of information and privacy? Write to:

Freedom of Information and Privacy Branch Management Board Secretariat Sixth Floor, Frost Building South 7 Queen's Park Crescent East Toronto, Ontario

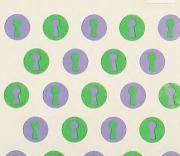




La Loi de 1987 sur l'accès à l'information

la protection de la vie privée







Introduction

La Loi de 1987 sur l'accès à l'information et la protection de la vie privée est entrée en vigueur le 1er janvier 1988. détenus par le gouvernement et garantit la protection de la

contenus dans les documents des ministères, agences, conprivée que doivent respecter l'ensemble de ces organismes ments sur la vie privée des particuliers.

La loi offre donc un certain équilibre entre l'accès le plus ment et le respect du droit de chacun à la protection de sa

Oui peut obtenir des renseignements en vertu de cette loi?

détenus par le gouvernement, qu'ils soient sous la garde ou

Ouel type de renseignements peut-on obtenir?

Il existe deux types de renseignements, les renseignements personnels qui intéressent votre vie privée et que le gouvernement conserve comme il est de règle et les documents se

- · Le Directory of General Records, aui comprend une du type de documents qu'il détient (et qui contiennent
- · Le Directory of Personal Information Banks, qui comprend une liste exhaustive de toutes les banques de

Ces répertoires vous aideront à déterminer où est suscep-

Quels sont les renseignements auxquels on ne peut avoir accès?

Le droit à l'accès aux documents détenus par le gouvernement ne peut vous être refusé en vertu de la loi que s'il intérêts. Lorsqu'une exemption s'applique partiellement à restants. Si l'accès au document est refusé, il doit s'accom-

Comment déposer une demande d'accès à l'information?

de renseignements généraux émanant du public et qui lui des médias, dans des publications, etc. Nous continuerons de collaborer à ce processus.

Mais lorsou'il vous est impossible de suivre ce processus procéder de la facon suivante :

1re étape - Découvrez quel est l'organisme gouvernemental détenant les renseignements dont vous avez besoin.

2e étape - Si vous avez des doutes sur l'organisme auquel

3e étape -- Procurez-vous une formule appropriée auprès de

4º étape - Remplissez la formule et adressez-la à l'organisme intéressé. Chaque ministère et agence compte dans son personnel un(e) coordonnateur(trice) de l'accès à l'informade vous aider à accèder aux renseignements que vous

L'organisme gouvernemental doit rénondre dans les 30 jours civils suivant la réception de votre demande. Il vous chercher parmi un grand nombre de documents. On

Oui peut vous aider?

toires les noms et adresses des divers coordonnateurs de

À quel genre de renseignements personnels puis-ie avoir accès?

Hormis certaines raisons précises, dont il est fait état dans

Que se passe-t-il si vous pensez que vos renseignements personnels ne sont pas exacts?

les renseignements réunis sur vous, vous avez le droit de

Oue coûte ce service?

En général, vous n'avez rien à paver pour avoir accès à vos saires, les deux premières heures sont effectuées gratuite-

Peut-on interieter appel de la décision de refuser l'accès?

devant le commissaire à l'information et à la protection de

se trouve au 80, rue Bloor ouest, Toronto M5S 2V1.

M7A 17.6



Murray Elston. Président du Conseil de gestion du gouvernement